

Exhibit 1

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

MORRIS FIDDLER, individually and on behalf of a class of similarly situated individuals,

Plaintiff,

v.

AT&T MOBILITY, LLC d/b/a The New AT&T f/k/a CINGULAR WIRELESS, a Delaware limited liability company, M-QUBE, INC., a Delaware corporation, VERISIGN, INC., a Delaware corporation,

Defendants.

Case No. 08-C-416

DECLARATION OF ELLEN ROBERSON IN SUPPORT OF DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION TO REMAND

**DECLARATION OF ELLEN ROBERSON
IN SUPPORT OF OPPOSITION TO
PLAINTIFF'S MOTION TO REMAND**

I, Ellen Roberson, declare pursuant to 28 U.S.C. § 1746 as follows:

1. I am currently the Director of Mobile Marketing and Interactive Media for AT&T Mobility, LLC ("AT&T").
2. In that capacity, I am responsible for overseeing third-party mobile content.
3. I submit this Declaration in support of Defendants' Opposition to Plaintiff's Motion to Remand.
4. As part of my responsibilities as Director of Mobile Marketing and Interactive Media for AT&T, I have access to AT&T's records regarding revenue generated from third-party mobile content purchases.
5. In 2007, AT&T's total gross revenue was \$11,398,423.00 for third-party mobile content purchases by subscribers from Illinois.

6. If called as a witness, I would and could competently testify to all of the foregoing, which is within my personal knowledge or based upon information gathered within the course and scope of my duties as Director of Mobile Marketing and Interactive Media for AT&T.

7. I do not in any way concede liability or opine or attest that the damages claimed by Plaintiff are legitimate or recoverable. I do not believe that Plaintiff should be able to recover any damages from AT&T.

8. I further do not concede or opine that this method for calculating damages should be utilized should this case proceed to trial. Rather, relying on Plaintiff's Complaint, and assuming their alleged facts to be true, I offer a reasonable method with which to determine the amount in controversy between Plaintiff and AT&T.

9. I declare under penalty of perjury under the laws of the United State of America that the foregoing is true and correct.

	
	Ellen Roberson